

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Congestion Control in a Network Device Having a Buffer Circuit

the specification of which is attached hereto unless the following space is checked:

_____ was filed on _____ as United States Application Serial Number or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Not Claimed</u>
1.			9
2.			9

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>Filing Date</u>
1.	
2.	

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application Number</u>	<u>Filing Date</u>	<u>Status X patented, pending, abandoned</u>
1.		
2.		

Each person, concern or organization having any rights to the invention is listed below:

No such person, concern or organization exists.

Each such person, concern or organization is listed below.

FULL NAME Cadant, Inc.

ADDRESS 4343 Commerce Ct., Suite 207, Lisle, Illinois 60532

Individual Small Business Concern Nonprofit Organization

FULL NAME

ADDRESS

Individual Small Business Concern Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights in the invention averring to their status as small entities. (37 CFR § 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

Venkata C. Majeti

NAME OF PERSON SIGNING

President and CEO

TITLE IN ORGANIZATION

4343 Commerce Court, Suite 207, Lisle, IL 60532

ADDRESS OF PERSON SIGNING

Whalpal

Signature

July 19, 2000

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney's Docket No. 4807.00009)

Applicant or

Patentee: Thomas J. Cloonan

Serial or

Patent No. _____

Filed or

Issued: _____

Title: _____

Congestion Control in a Network Device Having a Buffer Circuit

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) AND § 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN

Cadant, Inc.

ADDRESS OF CONCERN

4343 Commerce Ct., Suite 207

Lisle, Illinois 60532

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.12, and reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Congestion Control in a Network Device Having a Buffer Circuit

by inventor(s) Thomas J. Cloonan
described in

the specification filed herewith
 Application Serial No. , filed .
 Patent No. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual concern or organization having rights in the invention must file verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

I hereby appoint the following attorneys and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

ALTHERR, Robert F.	31,810	HYMEL, Lin J.	P45,414	PAYNE, Stephen S.	35,316
BANNER, Donald W.	17,037	IWANICKI, John P.	34,628	PETERSON, Thomas L.	30,969
BANNER, Mark T.	29,888	JACKSON, Thomas H.	29,808	POTENZA, Joseph M.	28,175
BANNER, Pamela I.	33,644	KAGAN, Sarah A.	32,141	PRATT, Thomas K.	37,210
BECKER, Matthew P.	45,824	KATZ, Robert S.	36,402	RENK, Christopher J.	33,761
BECKETT, William W.	18,262	KLEIN, William J.	43,719	RESIS, Robert H.	32,168
BERGHAMMER, Joseph J.	46,057	KRAUSE, Joseph P.	32,578	RIVARD, Paul M.	43,446
BODNER, Jordan	42,338	LINEK, Ernest V.	29,822	SCHAD, Steven P.	32,550
BUROW, Scott A.	42,373	MAGOON, Sumeet	43,769	SHIFLEY, Charles W.	28,042
CALLAHAN, James V.	20,095	MALONE, Dale A.	32,155	SKERPON, Joseph M.	29,864
CHANG, Steve S	42,402	MANNAVA, Ashok K.	45,301	SPAR, Elizabeth	45,123
COHAN, Gregory J.	40,959	MAPLE, Marie-Claire B.	37,588	STOCKLEY, D. J.	34,257
COOPERMAN, Marc S.	34,143	MAY, Steven A.	44,912	VAN ES, J. Pieter	37,746
CURTIN, Joseph P.	34,571	McDERMOTT, Peter D.	29,411	WILLIAMS, Kathleen M.	34,380
DAWSON, John R.	39,504	McKEE, Christopher L.	32,384	WITCOFF, Sheldon W.	17,399
DEMOOR, Laura J.	39,654	McKIE, Edward F.	17,335	WOLFF, Kevin A.	42,233
EVANS, Thomas L.	35,805	MEDLOCK, Nina L.	29,673	WOLFFE, Franklin D.	19,724
FEDOROCHKO, Gary D.	35,509	MEECE, Timothy C.	38,553	WOLFFE, Susan A.	33,568
FISHER, Daniel E.	34,162	MEEKER, Frederic M.	35,282	WRIGHT, Bradley C.	38,061
FISHER, William J.	32,133	MILLER, Charles L.	43,805		
GLEMBOCKI, Christopher R.	38,800	MITRIUS, Janice V.	43,808		
HANLON, Brian E.	40,449	MORENO, Christopher P.	38,566		
HEMMENDINGER, Lisa M.	42,653	NELSON, Jon O.	24,566		
HILLMAN, Lisa	43,673	NIEGOWSKI, James A.	28,331		
HONG, Patricia E.	34,373	PATEL, Binal J.	42,065		
HOSCHEIT, Dale H.	19,090	PATHAK, Ajay S.	38,266		

as my Attorneys.

Address all telephone calls to Joseph P. Krause at (312) 715-1000.

Address all correspondence to BANNER & WITCOFF, LTD., Ten South Wacker Drive, Chicago, Illinois 60606.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Thomas J. Cloonan

Inventor's signature: Thomas J. Cloonan

Date: 7-19-00

Residence: Lisle, Illinois

Citizenship: U.S.A.

Post Office Address: 4602 Wedgewood Ct.
Lisle, Illinois 60532